

AO 440 (Rev. 12/09) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Southern District of New York

Allan Scott, Derivatively and on behalf of 6D Global  
Technologies Inc.

*Plaintiff*

v.

Benjamin Tianbing Wei a/k/a/ Benjamin Wey, et al.  
(see list of Defendants below)

*Defendant*

Civil Action No. 15-CV-9691

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Benjamin Tianbing Wei a/k/a/ Benjamin Wey, Tejune Kang, Mark Szykowski, Adam Hartung, David S. Kaufman, Terry McEwen, Anubhav Saxena, Piotr A. Chrzaszcz, Michael Bannout, Bei Lv, Dianfu Lv, Arnold Staloff, Shuyuan Liu, Zilt Zhao, Fengjun Sun, Sheng Ma, and 6D Global Technologies Inc.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Timothy W. Brown  
The Brown Law Firm, P.C.  
127A Cove Road  
Oyster Bay Cove, NY 11771

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/11/2015

/S/ D. Gonzalez

*Signature of Clerk or Deputy Clerk*

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK,

**Plaintiff / Petitioner:**

ALLAN SCOTT, DERIVATIVELY AND ON BEHALF OF 6D GLOBAL TECHNOLOGIES INC.

**Defendant / Respondent:**

BENJAMIN TIANGBING WEI A/K/A/ BENJAMIN WEY, ET AL.

**AFFIDAVIT OF SERVICE**

Index No:

1:15-CV-09691-RWS

The undersigned being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and located at 590 Madison Ave 21st floor, New York, NY 10022. That on Fri, Aug 24 2018 AT 02:56 PM AT 10 WEST STREET UNIT # PH-1B & 37E, NEW YORK, NY 10004 deponent served the within SUMMONS IN A CIVIL ACTION, AMENDED VERIFIED SHAREHOLDER DERIVATIVE COMPLAINT on BENJAMIN TIANGBING WEI a/k/a BENJAMIN WEY

- ☐ **Individual:** by delivering a true copy of each to said defendant, personally; deponent knew the person so served to be the person described as said defendant therein.
- ☐ **Corporation:** \_\_\_\_\_ a defendant, therein named, by delivering a true copy of each to \_\_\_\_\_ personally, deponent knew said corporation so served to be the corporation described, and knew said individual to be \_\_\_\_\_ thereof.
- ☒ **Suitable Person:** by delivering thereat, a true copy of each to Henry, Concierge a person of suitable age and discretion.
- ☐ **Affixing to Door:** by affixing a true copy of each to the door thereof, deponent was unable with due diligence to find defendant, or a person of suitable age or discretion thereat, having called thereon; at \_\_\_\_\_
- ☐ **Mailing:** Deponent also enclosed a copy of same, in a postpaid sealed wrapper properly addressed to said defendant at defendant's last known address, \_\_\_\_\_, and depositing said wrapper in a post office, official depository under the exclusive care and custody of the United States Post Office, department, with New York State. Mailed on \_\_\_\_\_
- ☐ **Non-Service:**
- ☒ **Military Service:** I asked the person spoken to whether defendant was in active military service of the United States or of NY, in any capacity whatever and received a negative reply. *Defendant wore ordinary civilian clothes and no military uniform.* The source of my information and the ground of my belief are the conversations and observations above narrated. Upon information and belief I have that the defendant is not in the military service of NY, or of the United States as that term is defined in either the State or in the Federal statutes.

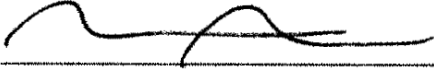
**Additional Comments:**

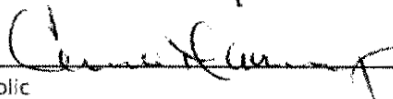
1) Successful Attempt: Aug 24, 2018, 2:56 pm EDT at Home: 10 WEST STREET UNIT # PH-1B & 37E, NEW YORK, NY 10004 received by Henry, Concierge. REFUSED LAST NAME, Stated he is authorized to accept. Refused access to apartment. Served upon party authorized to accept.

**Description:**

Age: 30 Ethnicity: Hispanic Gender: Male Weight: 165  
 Height: 5'9" Hair: Black Eyes: Other Relationship: \_\_\_\_\_  
 Other: \_\_\_\_\_

Sworn to before me on Aug 27, 2018

  
 Michael Gorman  
 1381333

  
 Notary Public

CAROLL RAMSEY  
 NOTARY PUBLIC, State of New York  
 No. 01RA6028190  
 Qualified in Nassau County  
 Commission Expires July 26, 2021

# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

CASE NO: 1:15-CV-09691-RWS

Plaintiff / Petitioner: ALLAN SCOTT, DERIVATIVELY AND ON BEHALF OF 6D GLOBAL TECHNOLOGIES INC.

vs.

Defendant / Respondent: BENJAMIN TIANBING WEI A/K/A/ BENJAMIN WEY, ET AL.

I Brian Ricks being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in the state of NY.

That on Fri, Aug 24 2018 deponent served the within:

SUMMONS IN A CIVIL ACTION, AMENDED VERIFIED SHAREHOLDER DERIVATIVE COMPLAINT on BENJAMIN TIANGBING WEI a/k/a BENJAMIN WEY at the address 10 WEST STREET UNIT # PH-1B & 37E, NEW YORK, NY 10004 by enclosing a copy of same in a postpaid wrapped properly addressed to the above recipient at and deposited said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Services within NY State, Mailed on 08/24/2018 via:

First Class Mail Envelope marked "Personal and Confidential".

(check all that apply)

- ☒ FIRST CLASS MAILING  
☐ CERTIFIED MAILING  
☐ RETURN RECEIPT REQUESTED  
☐ OVERNIGHT MAILING

...and by certified mail marked "Personal and Confidential".

The Certified Mail Receipt Number (if applicable) is as follows:

(\_\_\_\_\_).

Sworn to me on the 27 day of

Aug, 20 18

Brian Ricks

Notary Public

CAROLL RAMSEY  
NOTARY PUBLIC, State of New York  
No. 01RA6028190  
Qualified in Nassau County  
Commission Expires July 26, 2021

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022